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## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

## Patent Application

Applicants(s): Bauer et al.

Case: 9-1

Serial No.: 09/783,191

Filing Date: February 14, 2001

Group: 2642

Examiner: William J. Dean, Jr.

I hereby certify that this paper is being deposited on this date with the U.S. Postal Service as first class mail addressed to the Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450

Signature:

Date: March 2, 2004

Title: Method and Apparatus for Dynamically Allocating Bandwidth Utilization in a Packet Telephony System

INFORMATION DISCLOSURE STATEMENT**RECEIVED**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

MAR 09 2004

Technology Center 2600

Sir:

Pursuant to 37 C.F.R. §§1.56, 1.97 and 1.98, Applicant's attorney wishes to bring to the attention of the Patent and Trademark Office the following document listed on the accompanying PTO Form 1449. Pursuant to 37 C.F.R. §1.97(e)(1), each of the identified references was first cited in a European Search Report dated December 19, 2003 (i.e., not more than three months prior to the filing of this IDS). A copy of each listed item is enclosed.

## U.S. Patents:

1. U.S. Patent 4,890,282 filed December 26, 1989.
2. U.S. Patent 5,444,707 filed August 22, 1995.
3. U.S. Patent 5,546,395 filed August 13, 1996.

The filing of this Information Disclosure Statement shall not be construed as a representation that a search has been made, or as an admission that the information cited is considered to be material to patentability or that no other material information exists.

In the event of non-payment or improper payment of a required fee, the Commissioner is authorized to charge or to credit **Avaya Inc. Deposit Account No. 50-1602** as required to correct the error.

Respectfully submitted,



Date: March 2, 2004

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**FORM PTO-1449 (MODIFIED)****LIST OF PUBLICATIONS FOR  
APPLICANT'S INFORMATION  
DISCLOSURE STATEMENT**

Applicant:  
Case:  
Serial No.:  
Filing Date:  
Group:

Bauer et al.  
9-1  
09/783,191  
February 14, 2001  
2642

**U.S. PATENT DOCUMENTS**

EXAMINER	DOCUMENT NO.	DATE	NAME	CLASS/SUBCLASS	FILING DATE	IF APPROPRIATE
<u>MP</u>	4,890,282	12/26/89	Lambert et al.			
<u>SP</u>	5,444,707	8/22/95	Cerna et al.			
<u>MP</u>	5,546,395	8/13/96	Sharma et al.			

**FOREIGN PATENT DOCUMENTS**

EXAMINER	DOCUMENT NO.	DATE	COUNTRY	CLASS/SUBCLASS	TRANSLATION
INITIAL	INITIAL	INITIAL	INITIAL	INITIAL	INITIAL

**RECEIVED**

MAR 09 2004

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**OTHER DOCUMENTS**

EXAMINER	REF NO.	AUTHOR, TITLE, DATE, PERTINENT PAGES, ETC.

Examiner Bill DeaneDate Considered  
06/18/04

**Examiner:** Initial if reference considered, whether or not citation is in conformance with MPEP 609; draw line through citation if not in conformance and not considered. Include copy of this form with next communication to Applicant.